

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

IN RE: **Ronald Conley, Sr.
JoAnne Conley**

Debtor(s)

Case No.: 16-24785

Judge: JNP

Chapter: 13

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Motions Included

☐ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: 4-11-17

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay **\$151.00 Monthly** to the Chapter 13 Trustee, starting on **May 1, 2017** for approximately **46 remaining** months. (**\$1,208.00 paid to date**)

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$ ____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

| Creditor | Type of Priority | Amount to be Paid |
|--|-------------------|-------------------|
| McDowell Posternock Apell & Detrick PC | Attorney Fees | \$3,250.00 |
| McDowell Posternock Apell & Detrick | Supp Attorney Fee | \$500.00 |
| CCMUA POC #2-1 | water/sewer | \$310.30 |

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor | Collateral or Type of Debt | Arrearage | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|----------------------|-------------------------------------|------------|----------------------------|---|--|
| Ditech Financial LLC | 522 Fifth Ave, Lindenwold, NJ 08021 | \$2,113.15 | 0% | \$2,113.15 | *\$1,447.04 |

* This is subject to adjustment for escrow.

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in

Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Annual Interest Rate | Total Amount to Be Paid |
|----------|------------|----------------|------------------------|----------------|--|----------------------|-------------------------|
| | | | | | | | |
| | | | | | | | |

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

| Creditor | Collateral to be Surrendered | Value of Surrendered Collateral | Remaining Unsecured Debt |
|---------------|------------------------------|---------------------------------|--------------------------|
| -NONE- | | | |

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor

**Ally Financial - 2014 Dodge Avenger
Wells Fargo Dealer Services - 2011 Chrysler 300**

e. Secured Claims to be paid in full through the Plan

| Creditor | Collateral | Total Amount to be Paid through the Plan |
|---------------|------------|--|
| -NONE- | | |

Part 5: Unsecured Claims

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

____ Not less than \$ ____ to be distributed *pro rata*

____ Not less than ____ percent

 x *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

| Creditor | Basis for Separate Classification | Treatment | Amount to be Paid |
|---------------|-----------------------------------|-----------|-------------------|
| -NONE- | | | |

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

| Creditor | Nature of Contract or Lease | Treatment by Debtor |
|----------|-----------------------------|---------------------|
| -NONE- | | |

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

| Creditor | Nature of Collateral | Type of Lien | Amount of Lien | Value of Collateral | Amount of Claimed Exemption | Sum of All Other Liens Against the Property | Amount of Lien to be Avoided |
|----------|----------------------|--------------|----------------|---------------------|-----------------------------|---|------------------------------|
| -NONE- | | | | | | | |

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Amount of Lien to be Reclassified |
|----------|------------|-----------------------------------|
| -NONE- | | |

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Amount to be Deemed Secured | Amount to be Reclassified as Unsecured |
|----------|------------|-----------------------------|--|
| | | | |
| | | | |
| | | | |

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: 4-11-17.

| Explain below why the Plan is being modified. | Explain below how the Plan is being modified |
|--|--|
| To reflect the resolution of the Ditech motion to expunge and the resulting arrears and to extend the plan to keep the payment the same. | To reflect the resolution of the Ditech motion to expunge and the resulting arrears and to extend the plan to keep the payment the same. |

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date April 11, 2017 /s/ Thomas G. Egner, Esq.
Thomas G. Egner, Esq.
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: April 11, 2017 /s/ Ronald Conley, Sr.
Ronald Conley, Sr.
Debtor

Date: April 11, 2017 /s/ JoAnne Conley
JoAnne Conley
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Ronald Conley, Sr.
 Jo Anne Conley
 Debtors

Case No. 16-24785-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 47

Date Rcvd: Apr 12, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 14, 2017.

db/jdb
 516319000 +Ronald Conley, Sr., Jo Anne Conley, 522 Fifth Ave, Lindenwold, NJ 08021-3506
 516504829 +Apex Asset Management, Attn: Bankruptcy Dept., PO Box 5407, Lancaster, PA 17606-5407
 Apex Asset Management, LLC, Virtua Health System - WJ, PO Box 5407,
 Lancaster, PA 17606-5407
 516319003 +Borough of Lindenwold, Tax Office, 2001 Egg Harbor Rd., Lindenwold, NJ 08021-1400
 516319005 +CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One Bank Usa N, 15000 Capital One Dr,
 Richmond, VA 23238)
 516400186 +Camden County MUA, 1645 Ferry Avenue, Camden, NJ 08104-1311
 516319006 +Capital One Bank USA NA, Bankruptcy Dept., PO Box 30285, Salt Lake City, UT 84130-0285
 516459942 Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 516319007 +Cnvrgrt Hthcr, 121 Ne Jefferson S, Peoria, IL 61602-1256
 516319011 +Ditech Financial, LLC, PO Box 44265, Jacksonville, FL 32231-4265
 516319012 +Equifax Information Services, PO Box 740241, Atlanta, GA 30374-0241
 516319013 +Experian, PO Box 4500, Allen, TX 75013-1311
 516319014 +Financial Recoveries, 200 East Park Driv, Mount Laurel, NJ 08054-1297
 516319015 +First Premier Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
 516319017 +Kennedy Health Systems EMS, PO Box 13704, 30th St Station, Philadelphia, PA 19101-3704
 516319018 +Kennedy University Hospital, 500 Marlboro Ave, Cherry Hill, NJ 08002-2054
 516432099 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
 516319022 +Phoenix Financial Serv, 8902 Otis Ave Ste 103a, Indianapolis, IN 46216-1009
 516319023 +Phoenix Financial Services, LLC, 8902 Otis Ave Ste 103a, Indianapolis, IN 46216-1009
 516319024 +Phoenix Financial Services, LLC, PO Box 361450, Indianapolis, IN 46236-1450
 516319025 +Regional Sewer Service Invoice, PO Box 1105, Bellmawr, NJ 08099-5105
 516319026 +Remex Inc, 307 Wall St, Princeton, NJ 08540-1515
 516319027 +State of New Jersey Division of Taxation, Bankruptcy Section, PO Box 245,
 Trenton, NJ 08695-0245
 516319029 TransUnion, PO Box 2000, Chester, PA 19022-2000
 516319031 +Virtua Health Marlton, Mail Processing Center, 2 Brighton Rd, Clifton, NJ 07012-1663
 516319032 +Vital Recovery Services, LLC, PO Box 923748, Peachtree Corners, GA 30010-3748
 516340055 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Se, PO Box 19657, Irvine, CA 92623-9657
 516319033 +Wfids/wds, Po Box 1697, Winterville, NC 28590-1697

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Apr 12 2017 22:24:03 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Apr 12 2017 22:24:01 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516506079 E-mail/Text: ally@ebn.phinsolutions.com Apr 12 2017 22:23:07 Ally Capital, PO Box 130424,
 Roseville MN 55113-0004
 516318999 +E-mail/Text: ally@ebn.phinsolutions.com Apr 12 2017 22:23:07 Ally Financial,
 200 Renaissance Ctr, Detroit, MI 48243-1300
 516319002 +E-mail/Text: bk@avant.com Apr 12 2017 22:24:41 Avant Inc, 640 N Lasalle St,
 Chicago, IL 60654-3731
 516319004 E-mail/PDF: ch.collections@verizon.net Apr 12 2017 22:33:54 C&H Collection Services,
 PO Box 1399, Merchantville, NJ 08109-0399
 516319008 +E-mail/Text: creditonebknofications@resurgent.com Apr 12 2017 22:23:16 Credit One Bank,
 Po Box 98875, Las Vegas, NV 89193-8875
 516319009 +E-mail/Text: creditonebknofications@resurgent.com Apr 12 2017 22:23:17 Credit One Bank Na,
 Po Box 98875, Las Vegas, NV 89193-8875
 516526372 E-mail/Text: bankruptcy.bnc@ditech.com Apr 12 2017 22:23:45
 Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154,
 Rapid City, South Dakota 57709-6154
 516319010 +E-mail/Text: bankruptcy.bnc@ditech.com Apr 12 2017 22:23:45 Ditech Financial, LLC,
 PO Box 6172, Rapid City, SD 57709-6172
 516319016 +E-mail/Text: cio.bncmail@irs.gov Apr 12 2017 22:23:35 Internal Revenue Service,
 Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346
 516514913 E-mail/Text: JCAP_BNC_Notices@jcap.com Apr 12 2017 22:24:20 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 516319019 +E-mail/Text: bnckohlsnotices@becket-lee.com Apr 12 2017 22:23:23 Kohl's Department Store,
 N56 W17000 Ridgewood Drive, Menomonee Falls, WI 53051-7096
 516319020 +E-mail/Text: bnckohlsnotices@becket-lee.com Apr 12 2017 22:23:24 Kohls/capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 516456662 +E-mail/PDF: resurgentbknofications@resurgent.com Apr 12 2017 22:28:19 LVNV Funding LLC,
 c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587, (29603-0587
 516319021 +E-mail/Text: bk@lendingclub.com Apr 12 2017 22:24:32 Lending Club Corp,
 71 Stevenson St Ste 300, San Francisco, CA 94105-2985
 516514761 +E-mail/Text: JCAP_BNC_Notices@jcap.com Apr 12 2017 22:24:20 Premier Bankcard, Llc,
 c o Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-7999
 516319028 +E-mail/PDF: gecsed@recoverycorp.com Apr 12 2017 22:28:26 Synch/walmart,
 4125 Windward Plaza, Alpharetta, GA 30005-8738

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 47

Date Rcvd: Apr 12, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

516319030 +E-mail/Text: bankruptcydepartment@tsico.com Apr 12 2017 22:24:48 Transworld Systems Inc,
PO Box 15618, Dept 940, Wilmington, DE 19850-5618

TOTAL: 19

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516432100* +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
516319001 ##+Ars, 1801 Nw 66th Ave, Fort Lauderdale, FL 33313-4571

TOTALS: 0, * 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 14, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on April 11, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Thomas G. Egner on behalf of Joint Debtor Jo Anne Conley tegner@mpadlaw.com,
kgresh@mpadlaw.com;djamison@mpadlaw.com;jhughes@mpadlaw.com
Thomas G. Egner on behalf of Debtor Ronald Conley, Sr. tegner@mpadlaw.com,
kgresh@mpadlaw.com;djamison@mpadlaw.com;jhughes@mpadlaw.com

TOTAL: 5